

**O'BANION & RITCHEY LLP**  
INTELLECTUAL PROPERTY ATTORNEYS

Wells Fargo Center  
400 Capitol Mall, Suite 1550  
Sacramento, California 95814  
Tel. (916) 498-1010  
Fax (916) 498-1074

**RECEIVED**  
**CENTRAL FAX CENTER****NOV 18 2005**

November 18, 2005

**TELECOPIER TRANSMITTAL SHEET****TELECOPY TO: COMMISSIONER FOR PATENTS****FAX NUMBER: (571) 273-8300****FROM: JOHN P. O'BANION****RE: 09/737,277  
SON5180.03A****CERTIFICATE OF FACSIMILE TRANSMISSION (37 CFR 1.8)**

I hereby certify that the enclosed:

1. TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (UNDER 37 CFR 1.97(b) OR 1.97(e)) (2 PAGES)
2. STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING INFORMATION DISCLOSURE STATEMENT (1 PAGE)
3. INFORMATION DISCLOSURE STATEMENT BY APPLICANT (FORM PTO/SB/08A) (1 PAGE)

are being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 571-273-8300) on  
18 November 2005.

JOHN P. O'BANION  
(Type or print name of person signing certificate)

  
(Signature)

**[X] Original will not follow**


The information contained in this facsimile is highly confidential and may also be subject to attorney-client privilege. The information is intended only for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any use, distribution or copying of this communication is strictly prohibited. If you have received this in error, please notify us immediately by calling collect, and destroy this copy. Thank you.

**NUMBER OF PAGES SENT (INCLUDING COVER SHEET): 5**

**IF THERE ARE ANY PROBLEMS OR QUESTIONS, PLEASE CONTACT US AT (916) 498-1010.  
OUR FAX NO. IS (916) 498-1074.**



NOV 18 2005

<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> (Under 37 CFR 1.97(b) or 1.97(c))					Docket No. SON5180.03A	
In Re Application: <b>L. MICHAEL MAURITZEN ET AL.</b>						
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.	
09/737,277	12/12/2000	POINVIL, FRANTZY	36813	3628	7927	
Title: <b>APPARATUS AND METHOD FOR POPULATING A PORTABLE SMART DEVICE</b>						
<b>Payment of Fee</b> (Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))						
<input type="checkbox"/> A check in the amount of _____ is attached.						
<input type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. _____ as described below.						
<input type="checkbox"/> Charge the amount of _____						
<input type="checkbox"/> Credit any overpayment.						
<input type="checkbox"/> Charge any additional fee required.						
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.						
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>						
<b>Certificate of Transmission by Facsimile*</b>				<b>Certificate of Mailing by First Class Mail</b>		
<p>I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____)</p> <p>_____ (Date)</p> <p>_____ Signature</p> <p>_____ Typed or Printed Name of Person Signing Certificate</p>				<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</p> <p>_____ (Date)</p> <p>_____ Signature of Person Mailing Correspondence</p> <p>_____ Typed or Printed Name of Person Mailing Certificate</p>		
<p>*This certificate may only be used if paying by deposit account.</p>						
 Signature				Dated: <u>11/18/05</u>		
<p><b>JOHN P. O'BANION, REG. NO. 33,201</b> <b>O'BANION &amp; RITCHEY LLP</b> <b>400 CAPITOL MALL, SUITE 1550</b> <b>SACRAMENTO, CA 95814</b> <b>(916) 498-1010</b></p>						
CC:						

P10A/REV05

NOV 18 2005

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**Docket No.  
SON5180.03AIn Re Application Of: **L. MICHAEL MAURITZEN ET AL.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/737,277	12/12/2000	POILVIL, FRANTZY	36813	3628	7927

Invention: **APPARATUS AND METHOD FOR POPULATING A PORTABLE SMART DEVICE**COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

## Statement Under 37 CFR 1.97(e)(1)

- ☐ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

## Statement Under 37 CFR 1.97(e)(2)

- ☒ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

  
 Signature

Dated: 11/18/05

JOHN P. O'BANION, REG. NO. 33,201  
O'BANION & RITCHEY LLP  
400 CAPITOL MALL, SUITE 1550  
SACRAMENTO, CA 95814  
(916) 498-1010

cc:

**Certificate of Mailing by First Class Mail**

I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

Signature of Person Mailing Correspondence

JOHN P. O'BANION

Typed or Printed Name of Person Mailing Correspondence

